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(1)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO. 3175 OF 2006

SINGLE BENCH

PETITIONER : Smt. Ramin Thakur, aged about 42 years Wife of Shri D. D. Thakur, Superintendent, Girls Hostel Lanjoda, Block Pharasgaon, District Bastar (C.G.).

P.R. No. 3229/06 Presented by Shri S.P. Sahu 29/6/06

VERSUS

RESPONDENTS :

1. State of Chhattisgarh, through the Secretary, Department of Tribal Welfare, D.K.S. Bhawan, Raipur (C.G.).

2. The Commissioner, Tribal Welfare Department, Raipur (C.G.).

3. The Block Education Officer, Block Pharasgaon, District Bastar (C.G.).

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CLERK TO A/G BILASPUR 29/6/06

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA, 1950 FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS ETC. AND FOR APPROPRIATE ORDER/ORDERS, DIRECTION/DIRECTIONS.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP No. 317-5 | 06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

3-7-2006:-

Shri P.P. Sahu, counsel for the petitioner.

Shri Ashutosh Kachhawaha, Govt. Advocate for the State/ respondents.

Heard.

The main grievance of the petitioner raised in this writ petition is that even though she was transferred vide order dated 21.8.2003, she is not being relieved to join at the new place of posting.

The petitioner's case is that she is working as Superintendent of Girls Hostel, Lojanda and she has been transferred vide order dated 21.8.2003 along with other 122 persons vide Annexure-P/1. She has been transferred as Block Education Officer, Kanker but she is not being relieved in pursuance of the transfer order dated 21.8.2003. She made several requests but she is not being relieved.

Learned counsel for the petitioner submitted that transfer order dated 21.8.2003 whereby the petitioner was transferred to Kanker has not been cancelled or modified and it is still in existence but she is not being relieved.

Learned counsel for respondents, at this stage, is not in a position to make any statement about the transfer order, whether same is in existence or cancelled or modified or not.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and having regard to the fact that the transfer order dated 21.8.2003 is said to be in existence and the petitioner is not being relieved, therefore, it is directed that if transfer order of the petitioner has not been cancelled or modified and she has not been relieved in pursuance of the said transfer order, then respondents shall

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Barve	relieve the petitioner within a period of 4 weeks from the date of receipt of copy of this order. However, it is made clear that if the order dated 21.8.2003 has been cancelled or modified, then this order shall automatically have no force. With the direction aforesaid, the petition stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	